

Remarks

The various parts of the Office Action (and other matters, if any) are discussed below under appropriate headings.

Claim Rejections - 35 USC § 112

Claim 39 has been amended thereby rendering moot the antecedent basis rejection.

Claim Rejections - 35 USC § 102

Claims 1-3 and 5-43 have been rejected as being anticipated by U.S. Patent No. 6,883,957 (herein "Gilbert"). Withdrawal of the rejection is respectfully requested for at least the following reasons.

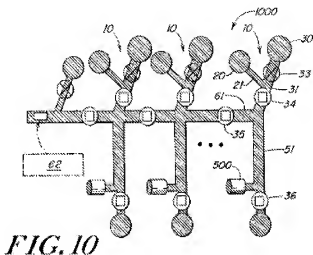
Claim 1 discloses a powder mixing unit for mixing a plurality of powder components to provide a powder mixture. The powder mixing unit including a powder mixing channel in which powder components are mixed on being transported therethrough, a powder outlet port through which the powder mixture is delivered, and a plurality of mixing gas supply channels fluidly connected to the powder mixing channel at spaced locations along a length thereof through which mixing gas flows are delivered to effect mixing of the powder components on being transported through the powder mixing channel.

The Examiner contends that Gilbert discloses "a microchip (see col. 1, lines 30-43) comprising a mixing channel (61 in the embodiment of Fig. 10), and outlet port 62, and a plurality of supply channels (see Fig. 10)." This is not the case.

Gilbert does not disclose a plurality of mixing gas supply channels fluidly connected to the powder mixing channel at spaced locations along a length thereof through which mixing gas flows are delivered to effect mixing of the powder components on being transported through the powder mixing channel. The Examiner contends that this limitation is taught by Gilbert's plurality of sample/supply channels 21. Claim 1, however, discloses a plurality of mixing gas supply channels.

As seen in Fig. 10 (reproduced below), the sample channels 21 of Gilbert act to allow samples to be mixed with the diluents supplied by a dilution channel 31. Nowhere in Gilbert is there mention of a mixing gas supply channel, much less a mixing gas

supply channel through which mixing gas flows are delivered to effect mixing of the powder components on being transported through the powder mixing channel.



Accordingly, for at least the foregoing reasons, Gilbert does not teach the subject matter of claim 1 and the rejection should be reversed.

The dependent claims recite still further features not found in a combination similar to that claimed. Inasmuch as the dependent claims are allowable for at least the same reasons as the claims from which they depend, the Examiner's comments in respect thereof need not be addressed and this should not be construed to be an acquiescence in the contentions made by the Examiner.

Conclusion

In view of the foregoing, request is made for timely issuance of a notice of allowance.

Respectfully submitted,

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